

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

E-FILED

CRIMINAL MINUTES - JURY TRIAL

**Judge: James Ware
Date: August 5, 2008
Case No: CR-08-0156 JW**

**Courtroom Deputy: Elizabeth Garcia
Court Reporter: Lee-Anne Shortridge
Interpreter: N/A**

TITLE

USA v. Steven Rodriguez (C)

Attorney(s) for Plaintiff(s): Jeff Schenk, Richard Cheng
Attorney(s) for Defendant(s): Cynthia Lie
Other Appearances: R. Jeremy Adamson - Sophia Watkins

PROCEEDINGS

Jury Trial Sessions One (morning) and Two (afternoon)

ORDER AFTER HEARING

Jury Selection Held. Defendant present and in custody for proceedings. The Court held a hearing outside the presence of the jury (start approx. 8:50 AM) re witness testimony, motion in limine rulings, parties' trial stipulations. Jury members summoned for further trial hearing (approx. 9:30 AM). The Court gave the jury opening jury instructions. The Government began opening statements (approx. 9:40AM), the Defense began opening statement (approx. 9:50 AM). The Government called Witness Spannbauer for testimony, the witness was excused at the end of testimony but was subject to recall (end 10:25 AM). The Government called Witness Houston (start 10:25 AM). The Court took a mid morning break (11:00 AM). The Court held a brief hearing outside the presence of the jury. The Court resumed with testimony of Witness Houston, the witness was excused at the conclusion of testimony (approx. 11:40 AM). The Government called Witness Pursley for testimony (approx. 11:40AM). The Court excused the jury for the afternoon recess (approx. 12:00 PM). The Court held a brief hearing outside the presence of the jury re witness testimony. The Court set August 7, 2008 at 12:00 PM to renew any further requests to keep witness for further testimony during the trial (end 12:25 PM).

The Court summoned the jury and resumed afternoon trial proceedings with testimony of Witness Pursley (approx. 1:10 PM). The Court excused the Witness Pursley from testimony (approx. 1:20 PM). The Government read into the Court record trial stipulations reached between the Government and Defendant (end. approx. 1:25 PM). The Government rested its case in chief (1:25PM). The Defense called Steven Rodriguez for testimony (approx. 1:25). The Court took a mid afternoon recess (approx. 2:45 PM). The Court resumed with trial proceedings and testimony of Steven Rodriguez. The Court dismissed the jury for the day (approx. 4:00 PM). The Court held a brief hearing outside the presence of the jury re custody of weapons during trial, exhibits, and juror note, and parties' previous stipulation read on record. The Defense made an oral motion for a mistrial re ineffective assistance of counsel. The Court DENIED the motions for the reason stated on the record. (end time approx. 4:10PM).

Further Jury Trial set for August 6, 2008 at 9:00 AM

Exhibits Into Evidence:

Govt: 1, 2, 5, 6, 4 (stipulated), 8, 9 A -E.
Def: N/A

Elizabeth C. Garcia
Elizabeth C. Garcia
Courtroom Deputy
Original: E-Filed
CC: